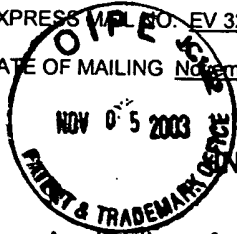


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Our File No. 09803910-0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Franklin Okumu

Serial No. 09/839,684

Filing Date: April 19, 2001

For Sustained Release Formulations

Examiner Jeffrey E. Russel

Group Art Unit No. 1654

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NOTICE OF APPEAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated May 7, 2003, finally rejecting Claims 1-52. Pursuant to 37 C.F.R. § 1.17(b), the fee for this Notice of Appeal is \$330.00. PTO Form 2038 is enclosed to cover the required fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Paul E. Rauch, Ph.D.
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